

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF SOUTH CAROLINA

CHARLESTON DIVISION

UNITED STATES OF AMERICA

)

CR. NO.: 2:24-CR-00653-RMG

)

)

-VS-

)

**SENTENCING MEMO AND
VARIANCE MOTION**

)

DON MICHAEL RYNN

)

The Defendant, by and through the undersigned attorney, moves for a downward variance and requests a probationary sentence. The nature and circumstances of the offense and the history and characteristics of the defendant under 18 U.S.C. §3553(a)(1) support the request for a probationary sentence.

Don Rynn's life has been happy but difficult. Don is a commercial fisherman. He has been for as long as he can remember; over 40 years. He stopped attending school after completing the eighth grade. Don has worked every day he was physically able to since then.

While Don lacks formal education, he is mechanically gifted. He has an innate understanding of machinery. As he describes it, since he was a very young child, people looked to him to fix what was broken, and he was usually able to repair their problems. This skill has been a lifelong source of pride.

It is this skill that led him to become entwined with Dr. Wetmore's fleet. Dr. Wetmore was looking for someone to help repair and maintain fishing vessels so he could profit from the

permits. Don was offered, in part, a permit, worth thousands of dollars in its own right, and a fishing vessel in exchange for repairing the fleet. While the given vessel would need the most work of the fleet, Don saw his opportunity to provide security for the biggest motivator in his life: his children.

Don has four children. Three are adults that Don raised; the fourth is a teenager from another relationship. Don is actively involved with raising her and financially supports her despite living apart.

Don is very involved with his adult children. Don is incredibly proud of his oldest daughter, Ocean Ashley. She is an office manager of a doctor's office and was recently married. Don just found out that he is going to be a grandfather for the first time and has insisted Ocean Ann and her husband move into his house in Florida so they can save money for their future. Don has given up his bedroom so his future grandchild will have a nursery.

Don is very close with his youngest adult daughter, Summer Ann. She was present and supportive of Don during the trial. Driving up from Florida and staying locally for the trial. On the day before closing, Don convinced her to drive back home as he was worried about the money she was spending and the time off she had taken from her jobs. During a break in trial, in passing, almost to himself but to no one in particular, Don looked behind him to see her there, turned back towards the bench and said something to the effect of "Lord, I haven't done everything right, but I know I did right by my girls. They will be alright." The emotional depth and love in that stray sentence was palpable.

Aaron is Don's only son. Aaron is also Don's biggest weakness. Don taught Aaron his trade. Don gave Aaron his first opportunity to captain a fishing vessel. As the court heard, Don

and Aaron's relationship was strained by Aaron's significant drug use. A major stressor was Don's continued optimism and faith in his son. Don would bail Aaron out of difficult situations; even when Don knew it was a good learning opportunity for Aaron to deal with the mess of his own creation. It speaks volumes comparing the testimony of the father and son. Aaron hurled accusations at his father and ended his cross examination laughing about having destroyed thousands of dollars of navigational instruments and electronics in his father's care simply out of spite. When it would benefit him to lay bare Aaron's shortcomings and problems, Don did not. Don took the stand after sitting through his son's testimony. Don continued to praise his son even when he was asked to be critical of him. Don did this while on the stand at his own federal criminal trial fighting for his freedom. Aaron laughed at the destruction he caused.

Don saw the arrangement with Dr. Wetmore to provide Aaron with a permitted fishing vessel. An income vehicle that would secure Aaron for years. Don was motivated to set Aaron up for success and boat known for safety. Unfortunately, that is not how the deal played out.

Don is now 61 years old. He is still working on boats and going out for over a week at time fishing. This is dangerous work. As testified to, Don has suffered multiple injuries and been hospitalized numerous times. Significantly, he survived 10 hours in the Atlantic after a rough wave sank his vessel in the morning darkness while he was shark fishing. *see Attachment A*. Despite how dangerous and dirty the work is, Don loves it, and he knows that he is approaching the end of his working life as his physical health and age will eventually stop him before he is ready to walk away from his fishing life.

In considering the nature and circumstance of the offense, Don requests a probationary sentence to allow him to finish working while he is able and to meet his forthcoming grandchild.

Respectfully Submitted,

/s/ Brendan M. Daniels

Assistant Federal Public Defender

145 King Street, Suite 325

Charleston, SC 29402

Attorney ID# 14286

July 16, 2025

ATTACHMENT A

Newspaper clipping of Don Rynn floating in Atlantic Ocean for 10 hours after rouge wave sank his boat while shark fishing.

Fishermen rescued after 10-hour hunt

By James R. Ward
Staff writer

Two commercial fishermen were plucked from the Atlantic Ocean yesterday by a Mayport helicopter almost 10 hours after their fishing boat was sunk by a freak wave 32 miles northeast of St. Augustine.

Finding the two fishermen in 10-foot seas was "probably one of the best rescues we have pulled off in a while. It was definitely a feat," a Coast Guard spokesman said.

The Patricia C, a 42-foot boat out of St. Augustine, was struck by the freak wave at 4 a.m. yesterday, said Petty Officer 1st Class Jim Harmon, at the Mayport Coast Guard Station.

Don Rynn of St. Augustine Beach, the owner and the captain of the boat, said he was on a bunk in the wheelhouse when the wave broke through the port wheelhouse wall, throwing him onto the floor.

"I had gotten up about 3:30 a.m., when the wind began to blow," Rynn said. "The boat was laying sideways in the sea, and I dropped two 500-foot anchor lines to get the boat back into the wind."

Still, the 10-foot seas were "about average" for the winter season, he said.

About a half hour later, Rynn, who had been shar

